UNITED STATES BANKRUPTCY COURT		HEARING DATE:	October 7, 2020
SOUTHERN DISTRICT OF NEW YORK		<b>HEARING TIME:</b>	9:30 A.M.
WHITE PLAINS DIVISION			
	-X	CHAPTER 13	
IN RE:		CASE NO. 20-22920	)-SHL
John J. Inzeo and Dana L. Inzeo,			
John J. Hizeo and Dana L. Hizeo,		A . 1.	
		Assigned to:	
		Hon. Sean H. Lane	
Debtor(s).			
	-X		

HEADDIC DATE

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## **OBJECTION TO CONFIRMATION OF THE PLAN**

Karen B. Migdal, the undersigned, does hereby affirm to be true, under the penalties of perjury as follows:

- 1. I am an attorney duly admitted to practice in the State of New York and before the United States District Court for the Southern District of New York. As the attorney for Matrix Financial Services Corporation (hereinafter the "Secured Creditor"), I am fully familiar with the facts and circumstances set forth herein. I submit this Affirmation in opposition to the plan submitted by the debtor.
- 2. Secured Creditor is the holder of a first mortgage secured by the debtor's residence located at 7 Virginia Street, New City, NY 10956 with an unpaid principal balance due in the amount of \$280,804.06.
- 3. Matrix Financial Services Corporation will be filing a proof of claim for the first mortgage with arrears set forth at the time of filing estimated to be \$4,124.99. The proof of claim will be filed by the bar date established by the Court. Said bar date is October 15, 2020.

4. The Debtor's proposed Plan fails to provide for the payment of arrears. The estimated amount to cure the mortgage arrears is \$4,124.99. Matrix Financial Services Corporation rejects the Plan. Thus, the proposed Plan cannot be confirmed under Bankruptcy Law. 11 U.S.C. Section 1325 (a) (5)(A),(B).

WHEREFORE, Matrix Financial Services Corporation rejects the debtor's Plan, as proposed, and respectfully requests that the confirmation of the Chapter 13 Plan be denied, together with such other and further relief against the debtor as this Court deems just and proper.

Dated: August 25, 2020 Carle Place, New York

STEIN, WIENER & ROTH, L.L.P.

## Karen B Migdal DN: cn=Karen B Migdal, o=SWR, ou, email=kmigda@hhstein.com, c=US

Digitally signed by Karen B Migdal Date: 2020.08.26 09:43:13 -04'00'

BY: Karen B. Migdal, Esq. Attorneys for Matrix Financial Services Corporation Office & P.O. Address One Old Country Road, Suite 113 Carle Place, New York 11514 (516) 742-1212

Michael A. Koplen TO: Debtor's Attorney 14 South Main Street, Suite 4 New City, NY 10956

> Krista M. Preuss Trustee 399 Knollwood Road White Plains, NY 10603

John J. Inzeo and Dana L. Inzeo Debtor 7 Virginia Street New City, NY 10956

U.S. Trustee U.S. Federal Office building 201 Varick Street, Room 1006 New York, NY 10014

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OBJECTION TO CONFIRMATION OF THE PLAN				

STEIN, WIENER & ROTH, L.L.P.
Attorneys for Matrix Financial Services Corporation
Office & P.O. Address
One Old Country Road, Suite 113
Carle Place, New York 11514
(516) 742-1212
77832/DOVEN

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John J. Inzeo and Dana L. Inzeo,				
Debtor(s).				
	X			
	AFFIDAVIT OF MAILING			
STATE OF NEW YORK )				
) ss:				
COUNTY OF NASSAU )				

Jennifer Schlander, being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and resides at Monroe County, New York.

That on August 26,2020, deponent served the within OBJECTION TO CONFIRMATION OF THE PLAN, by mailing the same in a sealed envelope, with postage paid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

- Michael A. Koplen
   Debtor's Attorney
   South Main Street, Suite 4
   New City, NY 10956
- 2) Krista M. Preuss Trustee 399 Knollwood Road White Plains, NY 10603
- John J. Inzeo and Dana L. InzeoDebtor7 Virginia StreetNew City, NY 10956

4) U.S. Trustee U.S. Federal Office Building 201 Varick Street, Room 1006 New York, NY 10014

/s/ Jennifer Schlander

Jennifer Schlander

Sworn to before me this 26<sup>th</sup> day of August, 2020

BERNADETTE Z. NATI-RODEO

NOTARY PUBLIC, STATE OF NEW YORK Commission No. 01NA6311389 Qualified in Queens County Commission Expires September 15, 2022